

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Ronald A. GIDSEG, Confirmation : 1281
John A. CARATTINI, No.
Phong V. HA

Application No. : 10/593,358 Group Art Unit : 3662

Filing Date : September 19, 2006 Examiner : ALSOMIRI, Isam A.

Docket No. : 20040050 Customer No. : 22500
(1763-018-03)

Title : **SYSTEM AND METHOD FOR TRANSITIONING FROM A
MISSILE WARNING SYSTEM TO A FINE TRACKING SYSTEM
IN A DIRECTIONAL INFRARED COUNTERMEASURES SYSTEM**

**37 CFR §1.8
CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being transmitted via the Office electronic filing system, EFS-Web, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the 5th of May, 2009.

/Rosanne F. Chow/
Rosanne F. Chow

RESPONSE TO RESTRICTION REQUIREMENT**TO THE COMMISSIONER FOR PATENTS**

This communication is in response to the Office Action dated April 13, 2009, in which the Examiner restricted the pending claims in the present patent application.

The Examiner has restricted the claims into three groups: claims 2-8 (Group I), claims 9-15 (Group II), and claims 16-20 (Group III). As discussed below, the Applicants respectfully traverse the restriction requirement on the grounds that the Examiner can search and examine the entire application without serious burden. Although the Applicants traverse the restriction requirement as discussed below, they provisionally elect to prosecute claims 2-8 (Group I) if the Examiner does not withdraw the restriction requirement.

According to MPEP § 803, if the Examiner can search and examine the application without serious burden, then he/she must examine the application on the merits even though it includes claims to independent or distinct inventions. The Examiner can search and examine all pending claims of the application without serious burden because the all the claims are directed to similar subject matter, namely methods of tracking and identifying threats and corresponding directional countermeasures systems.

If the need for any fee in addition to any fee paid with this response is found, for any reason or at any point during the prosecution of this application, kindly consider this a petition therefore and charge any necessary fees to Deposit Account 19-0130.

If the Examiner believes that a telephone interview would be helpful, he is respectfully requested to contact the Applicants' attorney, Paul F. Rusyn, at (425) 455-5575.

Respectfully submitted,

GRAYBEAL JACKSON LLP

/Paul F. Rusyn/

Paul F. Rusyn
Registration No. 42,118
Attorney for Applicants
155 – 108th Avenue NE, Suite 350
Bellevue, WA 98004-5973
(425) 455-5575 Phone
(425) 455-5575 Fax